REMARKS

The Office Action dated January 11, 2007 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 22, 35, 39, 44, and 46 are amended to more particularly point out and distinctly claim the subject matter of the present invention. Claim 34 is cancelled without prejudice or disclaimer. Claims 22-33, 35-37 and 39-46 are respectfully submitted for consideration.

The Office Action objected to claim 22 because of typographical informalities. Applicants submit that the second occurrence of "networks" in line has been deleted. Accordingly, withdrawal of the objection to the claims is respectfully requested.

The Office Action rejected claims 22-37 and 45 under 35 U.S.C. 101 for being directed to non-statutory subject matter. Specifically, the Office Action asserts that these claims recite functional descriptive steps, "which are rendered intangible since it is implemented by the computer program embodied on a computer readable medium of claim 44 without any practical application and concrete result."

Applicants submit as a preliminary matter, claims 22-37 and 45 are not directed to a computer program. Further, Applicants submit that each of the pending claims recite a practical application of initiating a handover of a radio transceiver device from a first radio access network to a second radio access network if the conditions are met by the second radio access network but not by the first radio access network. Still further,

claim 22 and 44 recite a "tangible" result of providing interworking between different radio access networks which support different services and/or different qualities. In other words, the result of the steps recited in these claims is repeatable and predictable and provide a useful, tangible and concrete result. Accordingly, withdrawal of the rejection under 35 U.S.C. 101 is respectfully requested.

The Office Action rejected claims 22-38 and 39-46 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,377,804 to Lintulampi (Lintulampi). Applicants submit that Lintulampi fails to disclose or suggest all of the features recited in any of the pending claims. Applicants note that while claims 34, 35, 42, 43 and 45 are listed above, the Office Action does not discuss these claims in this section of the Office Action. Thus, Applicants assume that these claims are not rejected under this section. However, if this is not the case, and the present application is not in condition for allowance, Applicants request a new non-final Office Action that clearly indicates which claims are being rejected.

Applicants further note that Lintulampi was cited in the Office Action dated April 15, 2003. Lintulampi was successfully overcome in the Response that was filed on August 15, 2003, because Lintulampi was not cited in the subsequent Office Action dated October 29, 2003.

Claim 22, from which claims 23-33, 35-37 and 45 depend, is directed to a method. A request for specific service is detected, wherein the request for specific service is received from at least one of a first access network and a second access network.

Information is accessed on conditions for the first radio access network and the second radio access network for giving sufficient support for a specific service requested by said request for specific service. The method analyzes whether or not the first radio access network and the second radio access network meet the conditions. A handover of the radio transceiver device from the first radio access network to the second radio access network is initiated if the conditions are met by the second radio access network, but the first radio access network does not. A radio transceiver device is capable of operating with the first radio access network and the second radio access network is attached to said first radio access network. An error procedure is initiated, when it is detected in the analyzing that the requested specific service is not available in any of the networks.

Claim 39, from which claims 40-43 depend, is directed to a device. A detecting unit is configured to detect a request for specific service, wherein the request for specific service is received from at least one of a first radio access network and a second radio access network. An analyzing unit responsive to the detecting unit, is configured to access information on conditions for the first and the second radio access networks for giving sufficient support for the a specific service requested by the request for specific service. The analyzing unit is further configured to analyze whether or not the first radio access network and the second radio access network meet the conditions. An initiating unit is responsive to the analyzing unit. The initiating unit is configured to initiate a handover of the radio transceiver device from the first radio access network to the second radio access network if the respective conditions are not met by the first radio access

network but by the second radio access network. The network interworking device is configured to operate with a telecommunication network, and the telecommunication network includes at least two radio access networks. A radio transceiver device capable of operating with the first radio access network and said second radio access network is attached to the first radio access network. The network interworking device is configured to initiate an error procedure is initiated, when it is detected in the analyzing that the requested specific service is not available in any of the networks.

Claim 44 is directed to a computer program embodied on a computer-readable medium, for performing the method substantially recited in claim 22.

Claim 46 is directed to a network interworking device. A detecting means is configured for detecting a request for specific service, wherein the request for specific service is received from the network side. An analyzing means is responsive to the detecting means and has the functionality of accessing information on conditions for said first and said second radio access networks for giving sufficient support for the a specific service requested by the request for specific service. The analyzing means is further configured for analyzing whether or not the first radio access network and the second radio access network meet the conditions. An initiating means is responsive to the analyzing means. The initiating means is adapted to initiate a handover of said radio transceiver device from said first radio access network to said second radio access network if the respective conditions are not met by said first radio access network but by said second radio access network. The network interworking device comprises means for

operating with a telecommunication network that includes at least two radio access networks. A radio transceiver device is capable of operating with the first radio access network and the second radio access network is attached to the first radio access network. The network interworking device includes means for initiating an error procedure, when it is detected in the analyzing that the requested specific service is not available in any of the networks.

Applicants submit that each of the pending claims recites features that are neither disclosed nor suggested in Lintulampi.

Lintulampi describes a mobile communication system, wherein a geographical area has overlapping coverage from two networks (e.g., GSM and UMTS), as described in the abstract. Lintulampi describes that the first network may make a request for a service (see column 2, lines 21 to 24). The GSM network analyzes the available resources for a requested service, and in this example, it determines that it cannot provide the requested quality of service, and sends a handover request to the UMTS network. See column 4, lines 47 to 50. This is further described in column 5, line 64 to column 6, line 8. Namely that the GSM network may initiate a handover in case it cannot provide the service. Furthermore, column 3, lines 52 to 54 of Lintulampi describes that the mobile node is capable of operating with both networks, and it seems to be derivable that it is attached to the GSM network.

Applicants submit that Lintulampi fails to disclose or suggest at least the feature of "wherein an error procedure is initiated, when it is detected in said analyzing that said

requested specific service is not available in any of said networks" as recited in claims 22, 39, 44 and 46. The Office Action admitted on page 6 that Lintulampi fails to disclose this feature. Thus, Applicants submit that Lintulampi fails to disclose or suggest all of the features recited in claims 22, 39, 44 and 46.

Applicants submit that because claims 23-33, 35-37, 40-43 and 45 depend from claims 22 and 39, these claims are allowable at least for the same reasons as claims 22 and 39, as well as for the additional features recited in these dependent claims.

Based at least on the above, applicants submit that Lintulampi fails to disclose or suggest all of the features recited in claims 22-33, 35-37 and 39-46. Accordingly, withdrawal of the rejection under 35 U.S.C. 102(e) is respectfully requested.

The Office Action rejected claims 34, 35 and 42 under 35 U.S.C. 103(a) as being obvious over Lintulampi, in view of US Patent No. 5,826,188 to Tayloe et al. (Tayloe). Claims 43 and 45 were rejected under 35 U.S.C. 103(a) as being obvious over Lintulampi, in view of US Patent No. 6,256,497 to Chambers (Chambers).

Applicants note that Lintulampi was filed on Jun 11, 1998. The present application has a priority date of Jan. 25, 1999. Thus, Lintulampi qualifies as prior art only under 35 U.S.C. 102(e). As discussed in the Response dated August 15, 2003, Applicants respectfully submit that these rejections should be withdrawn since Lintulampi is not a proper reference under 35 U.S.C. §103(c). Lintulampi is assigned to Nokia Mobile Phones Limited, of Espoo, Finland. The present application is assigned to Nokia Networks OY, of Espoo, Finland. Applicants respectfully submit that Nokia

Mobile Phones and Nokia Networks are both wholly owned business units of Nokia Corporation. Attached is a printout from the Nokia Corporation home page, located at www.nokia.com/nokia/0,8764,33080,00.html which explains that Nokia Corporation includes two business groups, those being Nokia Mobile Phones and Nokia Networks. Therefore, as indicated in 35 U.S.C. §103(c), Lintulampi cannot be used as prior art in making a rejection under 35 U.S.C. §103(a); 35 U.S.C. §103(c) clearly explains that subject matter developed by another person, which qualifies as prior art only under 35 U.S.C. §102(e), (f) or (g), shall not preclude patentability under 35 U.S.C. § 103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. Lintulampi and the present invention are both owned by Nokia Corporation, and it is respectfully submitted that the rejections under 35 U.S.C. § 103(a) are improper. Thus, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. 103(a).

Applicants submit that each of claims 22-33, 35-37 and 39-46 recites features that are neither disclosed nor suggested in any of the cited references. Accordingly, it is respectfully requested that each of claims 22-33, 35-37 and 39-46 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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Enclosures: Petition for Extension of Time
Request for Continued Examination (RCE) Transmittal
Check No. 16715